

12-20-01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

12/12/01
31129 U.S.
Pat. & Tm. Off.

Docket No. A-67991-3/RMS/DCF

Anticipated Classification of
this Application:

Class: Subclass:

Prior Application:

Examiner: T. StrzeleckaArt Unit: 1656

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DATE OF DEPOSIT

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Commissioner for Patents

Washington, DC 20231

09/517,945
Ser.

This is a request for filing an

- ☐ Original
☒ Continuation
☐ Divisional
☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of Mark S. Chee and Kevin Gunderson, for Detection of Nucleic Acid Amplification Reactions Using Bead Arrays. This X continuation divisional continuation-in-part claims priority to pending application Serial No. 09/517,945, filed on March 3, 2000.

1. (a) ☐ Enclosed is a new application.
(b) ☐ Enclosed is a continuation-in-part application.
(c) ☒ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.
(b) ☒ Enclosed is a copy of the prior executed Declaration as originally filed.
(c) ☐ Enclosed is a Combined Declaration/Power of Attorney.
3. Applicant claims small entity status. See 37 C.F.R.
4. ☐ The filing fee is calculated below: Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)	(Col.2)	<u>SMALL ENTITY</u>			<u>OTHER THAN A SMALL ENTITY</u>	
For:	<u>No. Filed</u>	<u>No. Extra</u>	<u>Rate</u>	<u>Fee</u>	<u>Or</u>	<u>Rate</u>	<u>Fee</u>
Basic Fee				\$370.00			\$740.00
Total Claims	__ - 20 =	__	__ x 9 =	\$__	OR	__ x \$18 =	\$__
Indep Claims	__ - 3 =	__	__ x 42 =	\$__	OR	__ x \$84 =	\$__
[] Multiple Depen Claims			+ \$140 =	\$__	OR	+ \$280 =	\$__
Total				<u>\$</u>			<u>\$</u>

*If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

5. X This application is being filed without paying the filing fee.
6. Cancel in this application original claims of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
7. Amend the specification by inserting before the first line the sentence:
8. (a) X Informal drawings are enclosed, 9 sheets.
(b) X Formal drawings are enclosed, 9 sheets.
9. (a) Priority of application Serial No. filed on in is claimed under 35 U.S.C. 119.
(b) The certified copy has been filed in prior application Serial No. filed on .
10. An Assignment is enclosed.
11. X The prior application is assigned of record to Illumina, Inc..
12. X The power of attorney in the prior application is to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP

- (a) X The power appears in the original papers in the prior application.
- (b) Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) X Address all future communications to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: (415) 781-1989

13. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
14. ☐ A Prior Art Statement is enclosed.
15. ☒ I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/517,945 as originally filed on March 3, 2000.

Date:

December 15, 2001

David C. Foster

David C. Foster, Reg. No. 44,685
Patent Agent for
Robin M. Silva, Reg. No. 38,304

Address of Signer:

Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: 415-781-1989

☒ Attorney or agent of record

☐ Filed under Section 1.34(a)

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